

1  
2  
3  
4 UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
5 AT TACOMA

6 SHAWN DALE NANEZ,

7 Plaintiff,

8 v.

9 KAREN DANIELS,

10 Defendants.

Case No. C17-5663-RBL-TLF

ORDER ADOPTING REPORT AND  
RECOMMENDATION

11 THIS MATTER is before the Court on the Report and Recommendation of Magistrate  
12 Judge Theresa L. Fricke [Dkt. #33], and the underlying record.

13 (1) The Report and Recommendation is **ADOPTED**.

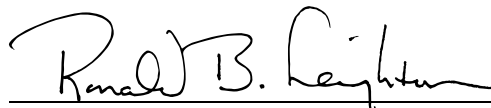
14 (2) Defendants' motion for summary judgment is **GRANTED** and this action is  
15 **DISMISSED without prejudice for failure to exhaust administrative remedies.**

16 (3) If Nanez appeals, his in forma pauperis status will continue; and

17 (4) The Clerk of Court is directed to send copies of this Order to Plaintiff and to Judge  
18 Fricke.

19 IT IS SO ORDERED.

20 Dated this 22<sup>nd</sup> day of February, 2019.

21 

22 Ronald B. Leighton  
23 United States District Judge  
24  
25